

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT CINCINNATI**

JOHN PEROTTI,

Petitioner,

Case No. 1:18-cv-477

- vs -

District Judge Timothy S. Black  
Magistrate Judge Michael R. Merz

RON ERDOS, Warden,  
Southern Ohio Correctional Facility,

Respondent.

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**DECISION AND ORDER**

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This habeas corpus case is before the Court on the Report and Recommendations of Magistrate Judge Michael R. Merz (ECF No. 24). Upon the filing of that Report, Petitioner was notified of his right to object and of the time limits for doing so. *Id.* at PageID 461. Despite having sought and received an extension of time to object, Petitioner has not done so.

Accordingly, the Report and Recommendations are ADOPTED. The Clerk will enter judgment dismissing the portions of the Petition attacking Petitioner's federal conviction for lack of jurisdiction and the remaining portions of the Petition attacking Petitioner's parole revocation as duplicative of claims made in Case No. 1:18-cv-446. Because reasonable jurists would not disagree with this conclusion, Petitioner is denied a certificate of appealability on the habeas corpus claims and the Court certifies to the Sixth

Circuit that any appeal would be objectively frivolous and therefore should not be permitted to proceed *in forma pauperis*.

July 29, 2019.

s/ Timothy S. Black  
Timothy S. Black  
United States District Judge